

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ALICIA MARIE STILTNER,

Plaintiff,

v.

KILOLO KIJAKAZI,¹
*Acting Commissioner of Social
Security,*

Defendant.

No. 3:20-CV-01725

(Chief Judge Brann)

(Magistrate Judge Saporito)

ORDER

MARCH 3, 2022

Alicia Marie Stiltner filed this action seeking review of a decision of the Acting Commissioner of Social Security (“Commissioner”) denying Stiltner’s claim for social security disability benefits.² In December 2021, Magistrate Judge Joseph F. Saporito, Jr. issued a Report and Recommendation recommending that this Court affirm the Commissioner’s decision and close this case.³

Stiltner filed timely objections to the Report and Recommendation.⁴ In her objections, Stiltner contends that Magistrate Judge Saporito erred in concluding that

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Kilolo Kijakazi, as the successor officer to Andrew Saul, Commissioner of Social Security, is automatically substituted as Defendant in this action.

² Doc. 1.

³ Doc. 20.

⁴ Doc. 21.

the administrative law judge properly evaluated the medical opinion evidence.⁵ “If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’”⁶ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁷

Upon *de novo* review of the record, the Court finds no error in Magistrate Judge Saporito’s conclusion that the Commissioner’s decision is supported by substantial evidence. Although Stiltner disputes some of Magistrate Judge Saporito’s observations and conclusions, Magistrate Judge Saporito correctly determined that, as a whole, the ALJ’s decision is supported by substantial evidence. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Joseph F. Saporito, Jr.’s Report and Recommendation (Doc. 20) is **ADOPTED**;
2. The Commissioner’s decision is **AFFIRMED**;
3. Final Judgment is entered in favor of Defendant and against Stiltner pursuant to Fed. R. Civ. P. 58 and sentence four of 42 U.S.C. § 405(g);
and

⁵ *Id.*

⁶ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁷ 28 U.S.C. § 636(b)(1); Local Rule 72.31.

4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge